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March 27, 2023

Hon. Mary Kay Vyskocil
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: T.P. obo G.P. v. City of N.Y., et al.
Docket No.: 1:20-cv-10796-MKV

Dear Hon. Vyskocil:

GRANTED. Updated proposed Order To Show Cause due April 10, 2023.

Date: March 28, 2023
New York, New York

Mary Kay Vyskocil
Mary Kay Vyskocil
United States District Judge

I am counsel for the plaintiff in the above referenced action. I am forwarding this letter motion to request an extension of time to file the Order to Show Cause. I apologize for the late request which has been occasioned by a personal emergency of the plaintiff T.P. who is required to provide an executed copy of her affidavit in support of the filing with the court.

It is respectfully asserted that there is no prejudice to the defendants in seeking this application as counsel has communicated that he is in communication with his client about resolving the issues regarding the assistive technology evaluation for G.P. late this afternoon.

G.P.'s Individualized Education Programs ("IEP") which are the subject of these proceedings have not implemented vision therapy. Notably, the underlying impartial hearing decision which is the subject of these proceedings required the DOE to develop an IEP reflective of G.P.'s needs as determined through considered evaluative data. G.P.'s IEPs have all since recommended vision therapy and it has not been implemented. Defense counsel takes the position that the implementation of the related service of vision therapy under G.P.'s IEPs is not properly before the court. Plaintiff respectfully disagrees.

In light of the personal emergency of plaintiff, it is requested that a two-week extension be granted in order to file the Order to Show Cause that I have already updated along with the required notarized plaintiff affidavit.

Respectfully submitted,

Erika L. Hartley, Esq.

Erika L. Hartley, Esq.
(Electronically signed)

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required notarized plaintiff affidavit. Thank you for your attention to this matter.

cc: David Thayer, Esq. (VIA ECF and email)
Office of the Corporation Counsel, Attorneys for Defendants